

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00228

Jay Williams,
Plaintiff,

v.

Betty Herriage,
Defendant.


ORDER

Plaintiff Jay Williams, an inmate proceeding pro se, filed a civil rights lawsuit under 42 U.S.C. § 1983 without paying the filing fee or moving to proceed *in forma pauperis*. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b).

On June 20, 2023, the magistrate judge issued a report recommending that the plaintiff be denied leave to proceed *in forma pauperis* and this case be dismissed without prejudice due to the plaintiff's failure to prosecute and to comply with the court's order to either pay the fee or file a properly supported motion to proceed as a pauper. Doc. 4. A copy of the report was mailed to the plaintiff, who did not file written objections.

When no party objects to the magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. The plaintiff is denied leave to proceed *in forma pauperis*, and this case is dismissed without prejudice.

So ordered by the court on August 10, 2023.



J. CAMPBELL BARKER
United States District Judge